

SENATE BILL No. 417

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-34-2-1.1.

Synopsis: Ultrasound before an abortion. Requires that at least 18 hours before an abortion that a pregnant woman seeking an abortion must obtain fetal ultrasound imaging, hear the auscultation of the fetal heart tone if audible, and view and receive a copy of the fetal ultrasound imaging. Specifies that the pregnant woman is responsible for the cost of the fetal ultrasound imaging.

Effective: July 1, 2009.

Leising

January 12, 2009, read first time and referred to Committee on Health and Provider Services.

C
o
p
y



Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

C
o
p
y

SENATE BILL No. 417

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-34-2-1.1, AS AMENDED BY P.L.146-2008,
2 SECTION 444, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 1.1. (a) An abortion shall not be
4 performed except with the voluntary and informed consent of the
5 pregnant woman upon whom the abortion is to be performed. Except
6 in the case of a medical emergency, consent to an abortion is voluntary
7 and informed only if the following conditions are met:

8 (1) At least eighteen (18) hours before the abortion and in the
9 presence of the pregnant woman, the physician who is to perform
10 the abortion, the referring physician or a physician assistant (as
11 defined in IC 25-27.5-2-10), an advanced practice nurse (as
12 defined in IC 25-23-1-1(b)), or a midwife (as defined in
13 IC 34-18-2-19) to whom the responsibility has been delegated by
14 the physician who is to perform the abortion or the referring
15 physician has orally informed the pregnant woman of the
16 following:

17 (A) The name of the physician performing the abortion.

2009

IN 417—LS 7002/DI 104+



- 1 (B) The nature of the proposed procedure or treatment.
 2 (C) The risks of and alternatives to the procedure or treatment.
 3 (D) The probable gestational age of the fetus, including an
 4 offer to provide:
 5 (i) a picture or drawing of a fetus;
 6 (ii) the dimensions of a fetus; and
 7 (iii) relevant information on the potential survival of an
 8 unborn fetus;
 9 at this stage of development.
 10 (E) The medical risks associated with carrying the fetus to
 11 term.
 12 (F) The availability of fetal ultrasound imaging and
 13 auscultation of fetal heart tone services to enable the pregnant
 14 woman to view the image and hear the heartbeat of the fetus
 15 and how to obtain access to these services.
 16 (2) At least eighteen (18) hours before the abortion, the pregnant
 17 woman will be orally informed of the following:
 18 (A) That medical assistance benefits may be available for
 19 prenatal care, childbirth, and neonatal care from the local
 20 office of the division of family resources.
 21 (B) That the father of the unborn fetus is legally required to
 22 assist in the support of the child. In the case of rape, the
 23 information required under this clause may be omitted.
 24 (C) That adoption alternatives are available and that adoptive
 25 parents may legally pay the costs of prenatal care, childbirth,
 26 and neonatal care.
 27 (3) The pregnant woman certifies in writing, before the abortion
 28 is performed, that the information required by subdivisions (1)
 29 and (2) has been provided.
 30 (b) **At least eighteen (18) hours** before an abortion is performed,
 31 the pregnant woman ~~may, upon the pregnant woman's request, shall:~~
 32 (1) view the fetal ultrasound imaging; ~~and~~
 33 (2) hear the auscultation of the fetal heart tone if the fetal heart
 34 tone is audible; ~~and~~
 35 (3) **receive a copy of the fetal ultrasound imaging.**
 36 **The pregnant woman is responsible for the cost of the fetal**
 37 **ultrasound imaging.**

C
O
P
Y

